

Claim 6, line 1, delete the second instance of "5" and insert therefor --6--.

Claim 23, line 6, delete "5" and insert therefor --6--.

REMARKS

The Examiner has rejected claims 3-6, 18, 22 and 23 under 35 U.S.C. § 102(b) for purported anticipation by Canadian Patent No. 2,072,009. Specifically, the 13-mer amino acid sequence pC, disclosed in the Canadian patent, is said to overlap with the amino acid sequence of the peptide described in the claims. In response, and in accordance with Applicants' preferred embodiment disclosed on page 8, line 2 of the specification of the present application, Applicants hereby amend the claims to recite that there must be at least 6 amino acids in the claimed peptide that are identical with corresponding amino acids in the same relative position in a T-cell epitope of the corresponding mammalian stress protein. As such, the *Borrelia* peptide does not anticipate the claimed peptide. Further, due to 1) the uncertainty in the art in predicting T-cell epitope primary structure, 2) the fact that the *Borrelia* peptide in question is not known to be a stress protein, 3) the fact that the asserted anticipatory ATVLA 5-mer of the pC peptide is not known as a T-cell epitope, and 4) the fact that the amino acids flanking the ATVLA sequence in the *Borrelia* peptide are different from the amino acids flanking the ATVLA sequence of one species of the claimed peptides (91-95 of the *M. tuberculosis* hsp60 protein), the claimed peptide would not have been obvious

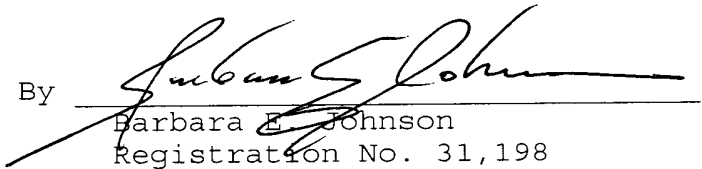
over the prior art *Borrelia* peptide. These facts are established of record in, among other papers, Applicants' Amendment dated November 2, 1999. For this reason, Applicants respectfully request reconsideration of the rejection of claims 3-6, 18, 22 and 23 over the disclosure of the Canadian patent.

In view of the above, Applicants believe that claims 3-6, 18, 22 and 23 define over the prior art of record and are in proper form for allowance. The amendments provided herewith place the claims in form for allowance. Applicants respectfully request entry of these amendments and allowance of claims 3-6, 18, 22 and 23.

Respectfully submitted,

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